

AMENDED IN SENATE JULY 15, 2010

AMENDED IN SENATE JUNE 23, 2010

AMENDED IN ASSEMBLY MARCH 18, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2626**

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**Introduced by Assembly Member Jones**

February 19, 2010

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An act to amend Section 831.4 of the Penal Code, relating to public officers.

LEGISLATIVE COUNSEL’S DIGEST

AB 2626, as amended, Jones. County of Sacramento: ~~Sheriff’s~~ *sheriff and police* security officers.

Under existing law a sheriff’s or police security officer is a public officer whose duties are limited to the physical security and protection of properties owned, operated, controlled, or administered by a city or county, or by a municipality or special district contracting for police services, and specified other duties.

This bill would expand the duties of a security officer employed by the Sheriff of the County of Sacramento *or by a municipality with law enforcement jurisdiction in the County of Sacramento* to include the security and protection of the property of an entity that contracts for security services from the County of Sacramento *or a municipality in the County of Sacramento*, whose primary business supports national defense, or whose facility is qualified as national critical infrastructure, or who stores or manufactures material that, if compromised, would compromise national security or pose a danger to residents of the County of Sacramento. The bill would provide that a contract entered into with

the County of Sacramento *or a municipality in the County of Sacramento* for security services must provide for full reimbursement to the county *or municipality* for the actual costs of providing those services. The bill would require the county board of supervisors *or the governing board of the municipality*, prior to entering into a contract pursuant to these provisions, to discuss the contract at a duly noticed public hearing.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 831.4 of the Penal Code is amended to  
2 read:

3 831.4. (a) (1) A sheriff's or police security officer is a public  
4 officer, employed by the sheriff of a county or police chief of a  
5 city, whose primary duty is the security of locations or facilities  
6 as directed by the sheriff or police chief. The duties of a sheriff's  
7 or police security officer shall be limited to the physical security  
8 and protection of properties owned, operated, controlled, or  
9 administered by the county or city, or any municipality or special  
10 district contracting for police services from the county or city  
11 pursuant to Section 54981 of the Government Code, or necessary  
12 duties with respect to the patrons, employees, and properties of  
13 the employing county, city, or contracting entities.

14 (2) In addition to the duties in paragraph (1), the duties of a  
15 security officer employed by the Sheriff of the County of  
16 Sacramento *or by a municipality with law enforcement jurisdiction*  
17 *in the County of Sacramento* may also include the physical security  
18 and protection of any properties owned, operated, or administered  
19 by any public agency, privately owned company, or nonprofit  
20 entity contracting for security services from the County of  
21 Sacramento *or a municipality with law enforcement jurisdiction*  
22 *in the County of Sacramento*, whose primary business supports  
23 national defense, or whose facility is qualified as national critical  
24 infrastructure under federal law or by a federal agency, or who  
25 stores or manufactures material which, if stolen, vandalized, or  
26 otherwise compromised, may compromise national security or  
27 may pose a danger to residents of the County of Sacramento. Any  
28 contract entered into pursuant to this paragraph shall provide for  
29 full reimbursement to the County of Sacramento *or municipality*

1 *in the County of Sacramento* for the actual costs of providing those  
2 services, as determined by the ~~county~~ auditor or auditor-controller  
3 *of the county or municipality*. Prior to contracting for services  
4 pursuant to this paragraph, the Sacramento County Board of  
5 Supervisors *or the governing board of the municipality in the*  
6 *County of Sacramento* shall discuss the contract and the  
7 requirements of this paragraph at a duly noticed public hearing.

8 (b) A sheriff's or police security officer is not a peace officer  
9 nor a public safety officer as defined in Section 3301 of the  
10 Government Code. A sheriff's or police security officer may carry  
11 or possess a firearm, baton, and other safety equipment and  
12 weapons authorized by the sheriff or police chief while performing  
13 the duties authorized in this section, and under the terms and  
14 conditions specified by the sheriff or police chief. These persons  
15 may not exercise the powers of arrest of a peace officer, but may  
16 issue citations for infractions if authorized by the sheriff or police  
17 chief.

18 (c) Each sheriff's or police security officer shall satisfactorily  
19 complete a course of training as specified in Section 832 prior to  
20 being assigned to perform his or her duties. Nothing in this  
21 subdivision shall preclude the sheriff or police chief from requiring  
22 additional training requirements.

23 (d) Notwithstanding any other law, nothing in this section shall  
24 be construed to confer any authority upon any sheriff's or police  
25 security officer except while on duty, or confer any additional  
26 retirement benefits to persons employed within this classification.